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June 14, 2018

VIA ECFS, EMAIL, AND FIRST CLASS MAIL

John Thomas
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*Re: STELAR Feasibility Certification, Market Modification Pre-Filing Coordination Letter
for Cherry County, NE, MB Docket No. 15-71*

Dear Mr. Thomas:

DISH Network L.L.C. (“DISH”) is in receipt of your pre-filing coordination letter (“Letter”),¹ pursuant to the procedures set forth in the Federal Communications Commission’s rules governing market modifications for satellite carriers under the STELA Reauthorization Act of 2014.²

The Letter requests information regarding carriage of local broadcast stations from the Lincoln & Hastings – Kearney Nebraska Designated Market Area into Cherry County, Nebraska. The attached Feasibility Certification pursuant to 47 C.F.R § 76.59(e) reflects DISH’s response to the Letter. Please contact me if you have any questions.

Sincerely,

Alison Minea

Alison Minea
Director & Senior Counsel, Regulatory
Affairs
DISH Network L.L.C.

Attachment: Feasibility Certification Pursuant to 47 C.F.R. § 76.59(e)

¹ Letter from John Thomas to Alison A. Minea, June 4, 2018.

² See Amendment to the Commission’s Rules Concerning Market Modification, Implementation of Section 102 of the STELA Reauthorization Act of 2014, *Report and Order*, MB Docket No. 15-71, FCC 15-111, ¶ 47 (Sept. 2, 2015) (“*Market Modification Order*”). See also STELA Reauthorization Act of 2014 (STELAR), § 102, Pub. L. No. 113-200, 128 Stat. 2059, 2060-62 (2014) (codified at 47 U.S.C. § 338(l)).

STELAR FEASIBILITY CERTIFICATION PURSUANT TO 47 C.F.R § 76.59(e)

1. This Feasibility Certification is issued by DISH Network L.L.C. (“DISH”) pursuant to the pre-filing coordination procedures contained in the Federal Communications Commission’s (“FCC”) Order¹ governing market modifications for satellite carriers under the STELA Reauthorization Act of 2014 (“STELAR”).²
2. This Feasibility Certification responds to the letter (“Letter”) dated June 4, 2018 from Mr. John Thomas requesting information regarding carriage of local broadcast stations from the Lincoln & Hastings – Kearney Nebraska Designated Market Area (“Lincoln DMA”) into Cherry County, Nebraska (the “County”).
3. DISH carries local broadcast stations for the Lincoln DMA on spot beams located on three different satellites: from the 110° W.L. orbital slot (in standard definition or “SD”) and from the 61.5° W.L. and 129° W.L. orbital slots (in high definition or “HD”).
4. The ability of an individual DISH subscriber in the County to receive local broadcast stations from a given orbital slot depends on, among other things, how the subscriber’s individual satellite antenna was originally installed and pointed, and whether that subscriber is predicted to have adequate spot beam coverage from one of our three satellite spot beams that carry the Lincoln DMA stations.
5. In general, a DISH customer’s satellite antenna, when installed, is pointed so that it can receive satellite signals from specific orbital slots. Receiving service from orbital slots not planned for in the original equipment installation at the subscriber’s home typically would require DISH to send a truck and technician to adjust equipment or install different equipment, which would impose a very substantial cost burden on DISH.
6. For DISH subscribers in the County, DISH must first determine whether the particular spot beam on each of our three satellites that carry the Lincoln DMA stations provides adequate spot beam coverage. In determining whether a given spot beam covers the County, DISH evaluates whether the spot beam’s signal, as designed by the satellite manufacturer, is predicted to achieve reception and demodulation of the signals at the same availability levels that DISH ordinarily uses to assess spot beam coverage for the local markets to which DISH provides service. In so doing, DISH has “conducted this analysis in substantially the same manner and using substantially the same parameters used to determine the geographic area in which it currently offers stations carried on the spot beam.”³ The calculation methodology takes into account the following principal parameters: (i) the uplink and downlink portions of the end-to-end satellite signal, (ii)

¹ Amendment to the Commission’s Rules Concerning Market Modification, Implementation of Section 102 of the STELA Reauthorization Act of 2014, Report and Order, MB Docket No. 15-71, FCC 15-111, ¶ 47 (Sept. 2, 2015) (“*Market Modification Order*”).

² STELA Reauthorization Act of 2014 (STELAR), § 102, Pub. L. No. 113-200, 128 Stat. 2059, 2060-62 (2014) (codified at 47 U.S.C. § 338(l)).

³ *Market Modification Order* ¶ 41.

rain loss using the International Telecommunication Union ("ITU") 618.6 rain rate data and ITU rain region boundaries, (iii) atmospheric loss, (iv) carrier to interference ratio ("C/I") terms due to adjacent satellite interference, (v) C/I terms due to aggregate adjacent beam interference, (vi) cross polarization degradation, (vii) forward error correction, and (viii) modulation.

7. **Spot Beam Coverage – 110° W.L. orbital slot:** The spot beam at the 110° W.L. orbital slot that transmits Lincoln's SD local stations is predicted to cover only around 20-25% of the southeastern corner of the County, with the city of Valentine about 15-20 miles beyond the edge of the line.
8. **Spot Beam Coverage – 129° W.L. orbital slot:** The spot beam at the 129° W.L. orbital slot that transmits Lincoln's HD local stations is predicted to cover only around 50% of the County (again in the southeast portion).
9. **Spot Beam Coverage – 61.5° W.L. orbital slot:** The spot beam at the 61.5° W.L. orbital slot that transmits Lincoln's HD local stations is predicted to cover the County. However, DISH's customers in the County do not have satellite antennas and in-home equipment that was installed to be able to receive service from the 61.5° W.L. orbital slot. DISH therefore would need to schedule a service visit for virtually 100 % of its subscribers in the County, which would impose a very substantial cost burden on DISH in addition to being an inconvenience to customers.
10. Given the poor spot beam coverage of the County from the satellite spot beams that provide the Lincoln DMA and/or the lack of necessary customer at-home equipment, DISH has determined that it would be both technically and economically *infeasible* within the meaning of 47 C.F.R. §76.59(e) to provide the Lincoln DMA local stations to the County.
11. DISH reserves the right to amend this Feasibility Certification at any time due to, among other things, a satellite equipment failure or a different satellite(s) being brought into service for the area that includes the County which has different coverage capabilities than the satellites currently being used.

The foregoing has been prepared using facts of which I have personal knowledge or upon information provided to me. I certify under penalty of perjury that the foregoing is true and correct to the best of my current knowledge, information, and belief.



Alison Minea
DISH Network L.L.C.

Executed on June 14, 2018